

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

**The Kroger Company,  
Plaintiff**

**-vs-**

**Case No. 1:02-cv-439**

**Malease Food Corporation,  
Defendant**

**JUDGMENT**

**Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED that the jury's damage award in favor of plaintiff be remitted to \$400,000.**

Date: April 25, 2005

James Bonini, Clerk

By: s/Mary C. Brown  
Mary C. Brown, Deputy Clerk